

Message Text

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PAGE 01 STATE 165390
ORIGIN EUR-12

INFO OCT-01 ISO-00 L-03 JUSE-00 PM-04 NSC-05 SP-02
SS-15 CIAE-00 INR-07 NSAE-00 DODE-00 EB-07 COME-00
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APPROVED BY EUR/SE:NCLEDSKY
L/EUR:DGANTZ

-----075357 152022Z /61

P 151830Z JUL 77
FM SECSTATE WASHDC
TO AMEMBASSY ANKARA PRIORITY

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E.O. 11652: N/A

TAGS: THGA, ETRD, MILL, TU, US

SUBJECT: LOCKHEED AGREEMENT

REF: ANKARA 5239

1. DEPARTMENT OF JUSTICE INFORMED DEPARTMENT JULY 8 THAT THE TURKISH EMBASSY HAD PROPOSED TO JUSTICE THAT AMBASSADOR ESENBEL SEND A LETTER TO JUSTICE READING IN SUBSTANCE AS FOLLOWS: "IN CARRYING OUT ARTICLE 4 OF THE US/TURKISH CO-OPERATION AGREEMENT DATED JULY 8, 1976, THE TURKISH MINISTRY OF JUSTICE CONFIRMS ITS UNDERSTANDING THAT THE PARLIAMENTARY COMMISSION CREATED UNDER TURKISH LAW IS NOT A LAW ENFORCEMENT AGENCY WITHIN THE MEANING OF ARTICLE 4." THIS ASSURANCE, WHICH WOULD NOT BE FORMALLY ANSWERED BY THE JUSTICE DEPARTMENT, WOULD SATISFY JUSTICE AS TO TURKEY'S WILLINGNESS TO RECOGNIZE THAT IT HAD VIOLATED THE AGREEMENT EARLIER AND THAT IT MUST AVOID DOING SO IN THE FUTURE.

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2. TURKISH AMBASSADOR HAD ALSO REQUESTED JUSTICE'S ASSURANCE THAT THE LETTER IF SENT WOULD NOT BE MADE PUBLIC. JUSTICE RESPONDED TO THE EMBASSY THAT THE CASE ACT QUESTION WOULD HAVE TO BE DECIDED BY THE STATE DEPARTMENT; IF THE CASE ACT IS NOT APPLICABLE, JUSTICE WOULD UNDERTAKE NOT TO GIVE THE LETTER ANY PUBLICITY BUT WOULD NOT HAVE ANY CHOICE

BUT TO PROVIDE IT TO INTERESTED CONGRESSIONAL COMMITTEES SHOULD IT BE REQUESTED. THIS SEEMED TO SATISFY THE TURKS.

3. TURKISH EMBASSY ALSO REQUESTED THAT JUSTICE EXTEND THE AGREEMENT WHICH EXPIRED JULY 8, 1977 BY AN EXCHANGE OF LETTERS. JUSTICE IS WILLING TO DO SO SUBJECT TO STATE DEPARTMENT CONCURRENCE.

4. DEPARTMENT HAS TOLD JUSTICE THAT THE PROPOSED LETTER ON ARTICLE 4 WOULD NOT BE AN AGREEMENT WHICH MUST BE SENT TO CONGRESS UNDER THE CASE ACT. RATHER, IT WOULD SEEM TO BE SIMPLY GOT CONFIRMATION OF WHAT WE BELIEVE THE TRUE MEANING OF ARTICLE 4 TO BE. WE ALSO INDICATED OUR CONCURRENCE IN PROPOSED TREATMENT OF THE LETTER, I.E., IT WOULD NOT BE GIVEN PUBLICITY BUT WOULD NOT BE WITHHELD IF REQUESTED BY THE CONGRESS. WE INDICATED FURTHER THAT WE HAD NO OBJECTION TO A ONE YEAR EXTENSION OF THE AGREEMENT AS PROPOSED BY THE TURKS, WITH THE UNDERSTANDING THAT SUCH AN EXTENSION WOULD BE COVERED BY THE CASE ACT AND THUS WOULD HAVE TO BE SENT TO CONGRESS.

5. ACCORDING TO JUSTICE, THE EMBASSY WOULD HOPE TO SEND THE LETTER AND TO CONCLUDE THE EXTENSION OF THE AGREEMENT ONLY AFTER A NEW GOVERNMENT IS FORMED, MAKING THE EXTENSION RETROACTIVE TO JULY 8. THE EMBASSY ESTIMATED THAT THIS LIMITED OFFICIAL USE

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COULD OCCUR BY ABOUT JULY 15.

6. APPOINTMENT OF TURKISH DELEGATION WITH DEPARTMENT OF JUSTICE (REFTEL) HAS BEEN SCHEDULED FOR MORNING JULY 19.

VANCE

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: AGREEMENTS, DIPLOMATIC COMMUNICATIONS
Control Number: n/a
Copy: SINGLE
Sent Date: 15-Jul-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977STATE165390
Document Source: CORE
Document Unique ID: 00
Drafter: EDSMITH:TP
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D770252-1104
Format: TEL
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t19770752/aaaabsot.tel
Line Count: 100
Litigation Code IDs:
Litigation Codes:
Litigation History:
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Original Previous Classification: n/a
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Previous Handling Restrictions: n/a
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Review Exemptions: n/a
Review Media Identifier:
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Review Withdrawn Fields: n/a
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Status: NATIVE
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TAGS: PGOV, ETRD, MILI, TU, US, (ESENBEL, MELIH)
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